

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Dayton Public Schools,

Plaintiff,

v.

**Case No. 3:17-cv-338
Judge Thomas M. Rose
Mag. Judge Michael J. Newman**

Lisa Cummings-Elmore, et al.,

Defendants.

**DECISION AND ORDER ADOPTING REPORT AND
RECOMMENDATIONS, (ECF 13), OVERRULING DEFENDANT LISA
CUMMINGS-ELMORE'S OBJECTIONS TO MAGISTRATE'S REPORT
AND RECOMMENDATIONS, (ECF 14), AND GRANTING PLAINTIFF'S
MOTION TO REMAND (ECF 9).**

This case is before the Court on Magistrate Judge Michael J. Newman's Report and Recommendations, (ECF 13), Defendant Lisa Cummings-Elmore's Objections to the Report and Recommendations, (ECF 14), Plaintiff Dayton Public Schools' Motion to Remand. (ECF 9).

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case, taking into consideration all objections. Upon said review, the Court finds that the objections, (ECF 14), to Report and Recommendations, (ECF. 13), are not well taken and they are hereby **OVERRULED**. Wherefore, the Court **ADOPTS IN FULL** the Magistrate Judge's Report and Recommendations. (ECF 13.) Plaintiff Dayton Public Schools' Motion to Remand (ECF 9) is **GRANTED**. The Clerk is hereby **ORDERED** to **REMAND** the instant case to the Montgomery County Court of Common Pleas.

DONE and **ORDERED** this Wednesday, January 10, 2018.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE